

House File 34 - Introduced

HOUSE FILE 34

BY M. SMITH

A BILL FOR

1 An Act adding hallucinogenic substances to the list of schedule
2 I controlled substances, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.204, subsection 4, Code 2011, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *ai.* Salvia divinorum.

4 NEW PARAGRAPH. *aj.* Salvinorin A.

5 EXPLANATION

6 This bill adds hallucinogenic substances to the list of
7 schedule I controlled substances.

8 The bill adds "salvia divinorum" and "salvinorin A", also
9 known as "divinorin A", to the list of schedule I controlled
10 substances.

11 A schedule I controlled substance is considered to have a
12 high potential for abuse and no medical purpose in treatment in
13 the United States.

14 The bill makes it a class "C" felony pursuant to Code section
15 124.401, subsection 1, paragraph c, subparagraph (8), for any
16 unauthorized person to manufacture, deliver, or possess with
17 the intent to manufacture or deliver, salvia divinorum or
18 salvinorin A, including its counterfeit or a simulated form,
19 or to act with, enter into a common scheme or design with,
20 or conspire with one or more other persons to manufacture,
21 deliver, or possess with the intent to manufacture or deliver
22 salvia divinorum or salvinorin A.

23 The bill also makes it a serious misdemeanor pursuant to Code
24 section 124.401, subsection 5, for any unauthorized person to
25 possess salvia divinorum or salvinorin A.

26 A class "C" felony is punishable by confinement for no more
27 than 10 years and a fine of at least \$1,000 but not more than
28 \$10,000. A serious misdemeanor is punishable by confinement
29 for no more than one year and a fine of at least \$315 but not
30 more than \$1,875.